

App. No.: 09/784,247
Amendment

R E M A R K S

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested. Claims 1, 20, 37, 43 and 49 are currently being amended, and no claims are currently being canceled or added. Therefore, claims 1-35 and 37-51 are pending in the application.

Written Statement regarding Substance of 2/1/06 Interview per 37 CFR 1.133(b)

Applicant appreciates very much the opportunity to discuss the rejections in this application with Examiner Thomas E. Shortledge in the telephone interview that occurred on February 1, 2006. Those participating in the interview were Examiner Shortledge, another USPTO patent examiner believed to be Examiner Shortledge's supervisor, and the undersigned attorney of record.

In accordance with the requirements of 37 CFR 1.133(b), and the Manual of Patent Examining Procedure (MPEP) §713.04, Applicant provides the following written statement of the reasons presented at the interview as warranting favorable action.

No exhibits were shown or discussed. The claims that were discussed were independent claim 1. The prior art that was discussed was U.S. Patent No. 6,321,188 to Hayashi et al. ("Hayashi et al.").

The general thrust of the Applicant's principal argument that was discussed in the interview was that Hayashi et al. does not disclose or suggest all of the steps in Applicant's independent claims being performed by a single communication device as claimed. Instead, Applicant asserted that Hayashi et al. discloses two separate devices.

The Examiner responded that he interprets Applicant's

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claimed "a communication device" broadly such that it can include the two apparatus system shown in Hayashi et al.

The undersigned asked if the Examiner could suggest a claim amendment that would satisfy the Examiner that Applicant's claimed "communication device" is a single device. The Examiner suggested amending claim 1 to recite that "said communication device comprises a single unit". The undersigned asked if such an amendment would overcome the rejection based on Hayashi et al. The Examiner responded that the amendment would overcome the rejection based on Hayashi et al., but the Examiner indicated that he would also need to conduct a further search.

The interview ended with agreement being reached that the above-mentioned amendment would overcome the rejections based on Hayashi et al.

Claim Rejections under 35 U.S.C. § 102

Claims 1-35 and 37-51 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,321,188 to Hayashi et al. ("Hayashi et al."). Applicant respectfully traverses these rejections.

In order to clearly distinguish Hayashi et al., Applicant has amended independent claim 1 to recite "wherein the communication device comprises a single unit". This amendment is supported by Applicant's FIGS. 1A and 1B and corresponding discussion in the specification which describe all of the claimed steps being performed by the single unit 20. Applicant has amended independent claims 20, 37, 43 and 49 in a similar manner.

In contrast to Applicant's amended independent claims, Hayashi et al. does not disclose or suggest all of the steps in Applicant's independent claims being performed by a

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communication device that comprises a single unit. Instead, Hayashi et al. discloses two separate devices, namely apparatus 1 and apparatus 2 as illustrated in FIGS. 7A-7H. As described, Japanese phrases are selected in apparatus 1, and English phrases are output from apparatus 2. That is, such operations are not performed by a single unit, as is now required by Applicant's amended claims.

As mentioned above, the Examiner agreed during the telephone interview of February 1, 2006, that the above amendment would overcome the rejection based on Hayashi et al. Therefore, the rejection of Applicant's amended independent claim 1 should be withdrawn. Furthermore, the rejections of amended independent claims 20, 37, 43 and 49 should be withdrawn for the same reasons, and the rejections of the dependent claims should also be withdrawn for at least the above reasons due to their dependence on their respective independent claims.

In addition, the Examiner rejected Applicant's independent claim 49 on the basis of Hayashi et al.'s col. 16, lines 44-53. However, this portion of Hayashi et al. simply does not disclose all of the limitations of Applicant's amended claim 49. This is another reason that the rejection of amended claim 49 should be withdrawn.

No Fees Believed to be Due

No extra claims fees are believed to be due.

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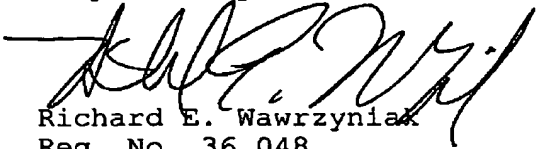
C O N C L U S I O N

In view of the above, Applicant submits that the pending claims are in condition for allowance. Should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone Richard E. Wawrzyniak at (858)552-1311 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

Dated

2/3/06


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